



City of Dallas

Department of Development Services

1500 Marilla Street Room 5B North Dallas, TX 75201 Phone 214.670.4209 Fax 214.670.4210

Zoning Change Application

October 2002

Provide the following information. (Please print).

| Applicant | | Representative | | Owner | |
|---------------------------------|---|---|----------------------------------|---|--------------------------------------|
| Owner <input type="checkbox"/> | Prospective Buyer <input checked="" type="checkbox"/> | | | Individual <input type="checkbox"/> | Corporation <input type="checkbox"/> |
| Tenant <input type="checkbox"/> | | | | Partnership <input checked="" type="checkbox"/> | Trust <input type="checkbox"/> |
| Name: | Odyssey Residential Holdings, LP | Name: | Suzan Kedron/Jackson Walker, LLP | Name: | Dallas I, Ltd. |
| Address: | 5430 LBJ Freeway | Address: | 901 Main Street # 6000 | Address: | 4686 Bryson Ter. |
| City/St/Zip: | Dallas, Texas 75240 | City/St/Zip: | Dallas, Texas 75202 | City/St/Zip: | San Diego, CA 92130-1331 |
| Telephone: | (972) 455-9298 | Telephone: | 214-953-5943 | Telephone: | |
| Fax: | (972) 455-9297 | Fax: | 214-953-5822 | Fax: | |
| E-mail: | bfisher@airmail.net | E-mail: | skedron@jw.com | E-mail: | |
| see attached authorization | | | see attached authorization | | |
| Signature of Applicant | | | Signature of Owner | | |
| Existing zoning: | CR & MC-1, D-1 | Location & cross street: 9415 Bruton Road; NWC of Bruton & St. Augustine Road. | | | |
| Mapscos no. | 59B | Request: Rezone property from CR and MC-1 with a D-1 overlay to MU-2. And, termination of existing deed restrictions. | | | |
| Zoning map no. | L-11 | | | | |
| Council district | 5 | | | | |
| School district | DISD | | | | |
| Census tract no. | 120 | Lot(s)/Block(s): 1072 Block 6735 | | Size of request: approx. 11.2 acres | |

Areas below to be completed by staff during application intake.

| General Zoning Change* | Specific Use Permit* | Planned Development District* | Deed Restrictions* |
|---|--|--|--|
| | New <input type="checkbox"/> Renewal <input type="checkbox"/> Amendment <input type="checkbox"/> Auto Renewal** | | Termination <input type="checkbox"/> Amendment <input type="checkbox"/> |
| Proper signatures <input checked="" type="checkbox"/> | Proper signatures*** <input type="checkbox"/> | Proper signatures <input type="checkbox"/> | Proper signatures <input type="checkbox"/> |
| Letter(s) of authorization <input checked="" type="checkbox"/> | Letter(s) of authorization*** <input type="checkbox"/> | Letter(s) of authorization <input type="checkbox"/> | Letter(s) of authorization <input type="checkbox"/> |
| Land use statement <input checked="" type="checkbox"/> | Land use statement <input type="checkbox"/> | Land use statement <input type="checkbox"/> | Land use statement <input type="checkbox"/> |
| Zoning Location Maps (2) <input checked="" type="checkbox"/> | Draft Conditions <input type="checkbox"/> | Draft Conditions <input type="checkbox"/> | Zoning Location Maps (2) <input type="checkbox"/> |
| Tax Plat Maps (2) <input checked="" type="checkbox"/> | Zoning Location Maps (2)*** <input type="checkbox"/> | Zoning Location Maps (2) <input type="checkbox"/> | Tax Plat Maps (2) <input type="checkbox"/> |
| Correct lot & block or Metes & Bounds survey with drawing (2) <input checked="" type="checkbox"/> | Tax Plat Maps (2) <input type="checkbox"/> | Tax Plat Maps (2) <input type="checkbox"/> | Correct lot & block or Metes & Bounds survey with drawing (2) <input type="checkbox"/> |
| Copy of Deed <input checked="" type="checkbox"/> | Correct lot & block or Metes & Bounds survey with drawing (2) <input type="checkbox"/> | Correct lot & block or Metes & Bounds survey with drawing (2) <input type="checkbox"/> | Copy of Deed <input type="checkbox"/> |
| Tax and lien statements <input checked="" type="checkbox"/> | Copy of Deed <input type="checkbox"/> | Copy of Deed <input type="checkbox"/> | Tax and lien statements <input type="checkbox"/> |
| Traffic Impact Worksheet <input checked="" type="checkbox"/> | Tax and lien statements <input type="checkbox"/> | Tax and lien statements <input type="checkbox"/> | List of partners/principals/officers** <input type="checkbox"/> |
| Traffic impact Study or Waiver** <input checked="" type="checkbox"/> | Traffic Impact Worksheet <input type="checkbox"/> | Traffic Impact Worksheet <input type="checkbox"/> | Termination instrument** <input type="checkbox"/> |
| List of partners/principals/officers** <input checked="" type="checkbox"/> | Traffic impact Study or Waiver** <input type="checkbox"/> | Traffic impact Study or Waiver** <input type="checkbox"/> | New instrument** <input type="checkbox"/> |
| | List of partners/principals/officers** <input type="checkbox"/> | List of partners/principals/officers** <input type="checkbox"/> | Copy of executed deed restrictions** <input type="checkbox"/> |
| | Site Plans (10 folded) <input type="checkbox"/> | Conceptual plans (10 folded) or Development Plans (10 folded) <input type="checkbox"/> | |
| | Landscape Plans (10 folded)** <input type="checkbox"/> | Landscape Plans (10 folded)** <input type="checkbox"/> | |
| | Tree Survey (2 folded)** <input type="checkbox"/> | Tree Survey** <input type="checkbox"/> | |
| | | Elevation/perspectives (optional) <input type="checkbox"/> | |

*Additional requirements may be determined as necessary prior to application acceptance. ** If required.

| | | | |
|---|----------------------------|--------------------|--------------------------|
| 2 year waiver: Y <input type="checkbox"/> N <input checked="" type="checkbox"/> | Filing fee: \$ 5820.00 | Sign fee: \$ 30.00 | Date filed: 9-22-04 |
| Escarpment Y <input type="checkbox"/> N <input checked="" type="checkbox"/> | Receipt no. 31410 | Receipt no. 31410 | Accepted by: [Signature] |
| Floodplain Y <input type="checkbox"/> N <input checked="" type="checkbox"/> | Notification area: 400 FT. | No. of signs: 3 | Date withdrawn: |

| | | |
|---|------------------|-------------------------------|
| Tentative CPC Hearing Date: NOV 4, 2004 | Planner: Whitley | File No.: 2004-327-11265 (DW) |
|---|------------------|-------------------------------|

COD_DS 0000001

GOVERNMENT EXHIBIT

1515

3:07-CR-02001

3705032x1126249/00002



City of Dallas

Revised Department of Development Services

1500 Marilla Street Room 5B North Dallas, TX 75201 Phone 214.670.4209 Fax 214.670.4210

Zoning Change Application

October 2002

Provide the following information. (Please print).

| Applicant | | Representative | | Owner | |
|---------------------------------|---|-----------------|----------------------------------|---|--------------------------------------|
| Owner <input type="checkbox"/> | <input checked="" type="checkbox"/> Prospective Buyer | | | Individual <input type="checkbox"/> | Corporation <input type="checkbox"/> |
| Tenant <input type="checkbox"/> | | | | Partnership <input checked="" type="checkbox"/> | Trust <input type="checkbox"/> |
| Name: | Odyssey Residential Holdings, LLC | Name: | Suzan Kedron/Jackson Walker, LLP | Name: | Dallas I, Ltd. |
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| Fax: | (972) 455-9297 | Fax: | 214-953-5822 | Fax: | |
| E-mail: | bfisher@airmail.net | E-mail: | skedron@jw.com | E-mail: | |

see attached authorization

Signature of Applicant

see attached authorization

Signature of Owner

| | | | | |
|------------------|----------------|--------------------------|--|-------------------------------------|
| Existing zoning: | CR & MC-1, D-1 | Location & cross street: | 9415 Bruton Road; NWC of Bruton & St. Augustine Road. | |
| Mapscop no. | 59B | Request: | Rezone property from CR and MC-1 with a D-1 overlay to MU-2 with retention of the D-1 overlay. | |
| Zoning map no. | L-11 | | And, termination of existing deed restrictions. | |
| Council district | 5 | | | |
| School district | DISD | | | |
| Census tract no. | 120 | Lot(s)/Block(s): | Lot 2; Block 6735 | Size of request: approx. 11.2 acres |

Areas below to be completed by staff during application intake.

| General Zoning Change* | Specific Use Permit* | Planned Development District* | Deed Restrictions* |
|--|--|--|--|
| | New <input type="checkbox"/> <input type="checkbox"/> Renewal Amendment <input type="checkbox"/> <input type="checkbox"/> Auto Renewal*** | | Termination <input type="checkbox"/> <input type="checkbox"/> Amendment |
| Proper signatures <input type="checkbox"/> | Proper signatures*** <input type="checkbox"/> | Proper signatures <input type="checkbox"/> | Proper signatures <input type="checkbox"/> |
| Letter(s) of authorization <input type="checkbox"/> | Letter(s) of authorization*** <input type="checkbox"/> | Letter(s) of authorization <input type="checkbox"/> | Letter(s) of authorization <input type="checkbox"/> |
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| Traffic Impact Study or Waiver** <input type="checkbox"/> | Traffic Impact Worksheet <input type="checkbox"/> | Traffic Impact Worksheet <input type="checkbox"/> | Termination instrument** <input type="checkbox"/> |
| List of partners/principals/officers** <input type="checkbox"/> | Traffic Impact Study or Waiver** <input type="checkbox"/> | Traffic Impact Study or Waiver** <input type="checkbox"/> | New instrument** <input type="checkbox"/> |
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| | Landscape Plans (10 folded)** <input type="checkbox"/> | Landscape Plans (10 folded)** <input type="checkbox"/> | |
| | Tree Survey (2 folded)** <input type="checkbox"/> | Tree Survey** <input type="checkbox"/> | |
| | | Elevation/perspectives (optional) <input type="checkbox"/> | |

*Additional requirements may be determined as necessary prior to application acceptance. ** If required.

| | | | | |
|----------------|---|------------------------|---------------|-----------------|
| 2 year waiver: | Y <input type="checkbox"/> N <input type="checkbox"/> | Filing fee: \$ | Sign fee: \$ | Date filed: |
| Easement | Y <input type="checkbox"/> N <input type="checkbox"/> | Receipt no. | Receipt no. | Accepted by: |
| Floodplain | Y <input type="checkbox"/> N <input type="checkbox"/> | Notification area: FT. | No. of signs: | Date withdrawn: |

Tentative CPC
Hearing Date:

Planner:

File No.:

2004-3271

3705032v2 126249/00002

COD_DS 0000002

LAND USE STATEMENT

(9415 Burton Road
Northwest Corner
of Bruton & St. Augustine Roads)

I. PURPOSE OF REQUEST:

The request is for a change of zoning from a community retail (CR) district, multiple commercial (MC-1) district, and liquor control overlay (D-1) district to a mixed use (MU-2) district. It is also requested that the existing deed restrictions (Z801--296/Z296-S) be terminated as circumstances have changed in the last 20+ years.

II. EXISTING LAND USES:

The site is currently vacant.

III. ADJOINING PROPERTY USES:

The property fronts on both Bruton and St. Augustine Roads. It wraps an existing gas station and car wash at the northwest intersection of Bruton and St. Augustine Roads.

The north of the site is bounded by a 30' concrete drainage channel (FP designation on zoning map) across which is a town home community. The east of the site is bounded by St. Augustine Road, across which is vacant land, strip retail, and a vacant gas station. Southeast of the site is the Edward Titcher School. The south of the site is bounded by Bruton Road across which is Fire Station No. 5.

IV. PROPOSED USE OF THE REQUEST AREA:

The proposed use for the request area is for a mixed use residential office/retail project. The applicant is proposing a three story structure with flex space for ground floor retail and/or office uses. The office and/or retail space is proposed to be between 7,500 and 10,000 square feet depending on market conditions. At this time the exact ground floor uses are not quantified. It is also requested that liquor control overlay (D-1) district be removed to allow for the potential of a restaurant use on the ground floor.

ATTORNEYS & COUNSELORS
901 Main Street, Suite 6000
Dallas, Texas 75202
(214) 953-6000 • fax (214) 953-5822
www.jw.com



Suzan Kedron
(214) 953-5943
skedron@jw.com

October 8, 2004

Mr. David Whitley
City of Dallas
1500 Marilla Street, 5BN
Dallas, Texas 75201

Re: Zoning Case No. Z034-327;
NWC Bruton and St. Augustine Roads.

Dear David:

Enclosed, please find a revised zoning application and land use statement for the above-referenced case.

Since a restaurant use is allowed with an SUP in a D-1 overlay district, the request is being revised to retain the D-1 overlay.

Should you have any questions, please don't hesitate in calling.

Very truly yours,



Suzan Kedron

cc: Bill Fisher
Saleem Jafar

Austin
Dallas
Fort Worth
Houston
Richardson
San Angelo
San Antonio

Member of GLC 3716452v1 126249/00002

COD_DS 0000004



City of Dallas

Department of Development Services

1500 Marilla Street Room 58 North Dallas, TX 75201 Phone 214.670.4209 Fax 214.670.4210

Zoning Fee/Sign Schedule

October 2002

| General Zoning Change | 0 to 1 acre | >1 acre to 5.0 acres * | >5.0 acres to 15 acres * | >15.0 acres to 25 acres * | >25.0 acres * |
|-----------------------|-------------|------------------------|--------------------------|---------------------------|--|
| Fee | \$1,050.00 | \$2,610.00 | \$5,820.00 | \$9,315.00 | \$9,315 + \$113 for each acre over 25 to a maximum of \$37,500 |
| Notification area | 200 ft. | 300 ft. | 400 ft. | 400 ft. | 500 ft. |

| Specific Use Permit | 0 to 1 acre* | >1 acre to 5.0 acres * | >5.0 acres to 25 acres * | >25.0 acres* |
|------------------------------|---|------------------------|--------------------------|--------------|
| New** Fee | \$1,170.00 | \$1,170.00 | \$1,170.00 | \$1,170.00 |
| Notification area | 200 ft. | 300 ft. | 400 ft. | 500 ft. |
| Amendment Fee | \$825.00 | \$825.00 | \$825.00 | \$825.00 |
| Notification area | 200 ft. | 300 ft. | 400 ft. | 500 ft. |
| Renewal Fee | \$825.00 | \$825.00 | \$825.00 | \$825.00 |
| Notification area | 200 ft. | 300 ft. | 400 ft. | 500 ft. |
| Automatic Renewal Fee | \$825.00 (\$350 refundable if 51A-1.105(a)(4) criteria met) | | | |
| Notification area | 200 ft. | | | |

**The fee for an SUP for a skybridge is \$10,000. Please consult the Dallas Development Code, 51A-4.217b(12) for requirements for a skybridge submittal.

| Planned Development District | 0 to 5 acres* | >5.0 acres* |
|------------------------------|---------------|--|
| New/enlargement Fee | \$5,820.00 | \$5,820 + \$113 per acre for each acre over 5 to a maximum of \$30,000 |
| Notification area | 500 ft. | |
| Amendment Fee | \$1,935.00 | |
| Notification area | 500 ft. | |

| Deed Restrictions | 0 to 1 acre | >1 acre to 5.0 acres * | >5.0 acres to 15 acres * | >15.0 acres to 25 acres * | >25.0 acres * |
|----------------------|---|------------------------|--------------------------|---------------------------|---------------|
| New Fee | \$350.00 (\$0 if submitted with an application for zoning change, prior to CPC) | | | | |
| Notification area | 200 ft. | 300 ft. | 400 ft. | 400 ft. | 500 ft. |
| Amendment Fee | \$900.00 (\$0 if submitted as part of an application for zoning change) | | | | |
| Notification area | Same as original notification | | | | |

5820
113
5933

*Any fraction of an acre is rounded up to the next acre.

Notification Signs

- ✓ One sign must be posted for each 5 acres of property up to a maximum of 5 signs.
- ✓ Signs cost \$10.00 each, which is due upon submission of a completed application.
- ✓ The sign(s) must be posted at least 10 days before the scheduled City Plan Commission hearing date.
- ✓ The sign(s) must be visible from all street frontages.
- ✓ Signs not properly displayed leave the City Plan Commission only two considerations:
1) denial of the request or 2) postponement until the proper ten day posting is accomplished.

I have read and understand my responsibility regarding the legal posting of notification signs.

PAI
SAT
SHNMonday
(by 1:30 p.m.), OCT 25, 2009
Tentative posting date

Applicant signature

Date

9/22/2009

COD_DS 0000005

2034-327

Mr. David Cossum
 Assistant Director
 Department of Development Services
 Pre-Development Division
 City of Dallas
 1500 Marilla Street, 5DN
 Dallas, Texas 75201-4127

RE: Request for Zoning Change to a Mixed-use (MU-2) District for Property
 Located at the Northwest Corner of Bruton Road and North St.
 Augustine Drive; Dallas, Texas (approximately 11.2 acres).

Dear Mr. Cossum:

This letter will authorize Jackson Walker L.L.P. to pursue a request for a zoning
 change to a mixed-use (MU-2) district. This request is in connection with the above-
 referenced property and on behalf of the Owner as listed below.

*at Building from notes
 of existing deed restrictions*

DALLAS I, LTD.

By:

Name:

Title:

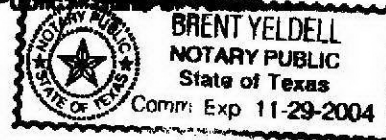
Michael F. Harland
MICHAEL F. HARLAND
GENERAL PARTNER

THE STATE OF TEXAS

COUNTY OF DALLAS

This instrument was acknowledged before me on the 22 day of
September, 2004 by _____ of
 _____ on behalf of said _____ as
 its _____

Brent Yeldell
 Notary Public, State of Texas



COD_PS 0000006

2034-327

Mr. David Cossum
Assistant Director
Department of Development Services
Pre-Development Division
City of Dallas
1500 Marilla Street, 5DN
Dallas, Texas 75201-4127

RE: Request for Zoning Change to a Mixed-use (MU-2) District for Property Located at the Northwest Corner of Bruton Road and North St. Augustine Drive; Dallas, Texas (approximately 11.2 acres).

Dear Mr. Cossum:

This letter will authorize Jackson Walker L.L.P. to pursue a request for a zoning change to a mixed-use (MU-2) district. This request is in connection with the above-referenced property and on behalf of the Applicant as listed below.

* Including termination of
Existing deed restrictions

ODYSSEY RESIDENTIAL HOLDINGS, L.P.

By: _____

Name: _____

Title: _____

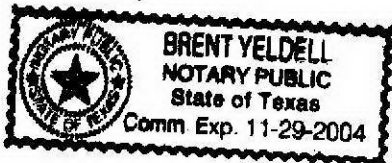
[Signature]
Name: *William A. Lujan*
Title: *Chair of General Partner of LP*

THE STATE OF TEXAS

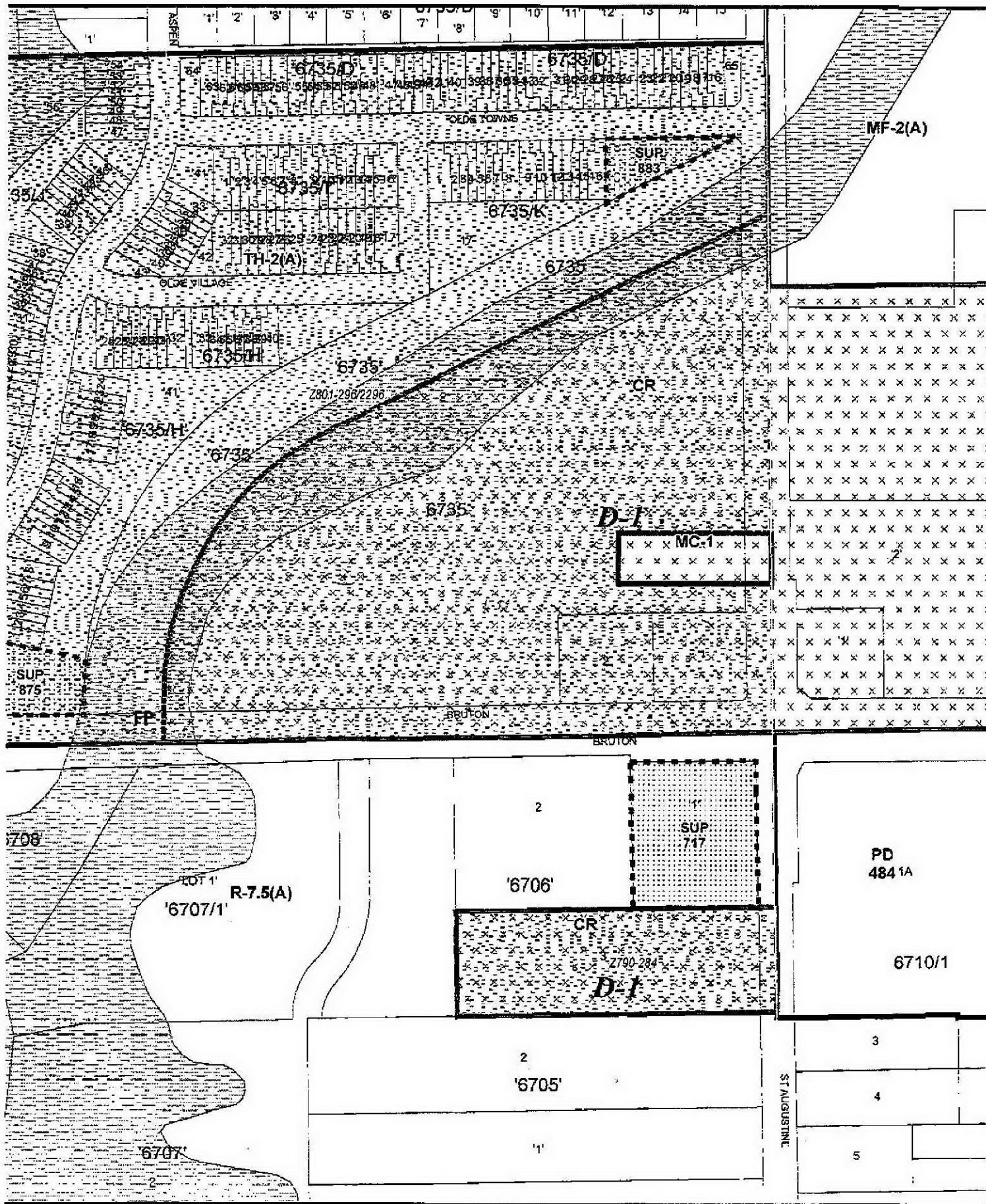
§
§
§

COUNTY OF DALLAS

This instrument was acknowledged before me on the 22 day of SEPTEMBER, 2004 by _____ of _____ on behalf of said _____ as its _____



[Signature]
Notary Public - State of Texas



1:2,400

COD_DS 0000008

2034-327

BEING a tract of land in the Thomas M. Johnson Survey, Abstract No. 685 in the City of Dallas, Dallas County, Texas, City Block 6736, and being described as follows:
 BEGINNING at an iron rod for corner in the West line of St. Augustine Road, said point being North 00 degrees 02 minutes 30 seconds East 145.0 feet from the northerly cut back clip of the intersection of the West line of said St. Augustine Road with the North line of Bruton Road;
 THENCE South 89 degrees 48 minutes 30 seconds West a distance of 300.0 feet to an iron rod for corner;
 THENCE South 00 degrees 02 minutes 30 seconds West a distance 190.0 feet to an iron rod, for corner in the North line of said Bruton Road;
 THENCE South 89 degrees 48 minutes 30 seconds West with the North line of said Bruton Road a distance of 708.77 feet to an iron rod for corner;
 THENCE North 00 degrees 09 minutes 30 seconds East a distance of 37.54 feet to an iron rod for corner;
 THENCE in a Northeasterly direction with a curve to the right having a radius of 485.0 feet a central angle of 64 degrees 00 minutes 00 seconds, a distance of 641.76 feet to an iron rod for corner;
 THENCE North 64 degrees 09 minutes 30 seconds East a distance of 763.49 feet to an iron rod for corner in the West line of St. Augustine Road;
 THENCE South 00 degrees 02 minutes 30 seconds West a distance of 652.29 feet to the PLACE OF BEGINNING, and containing 487,848.95 square feet or 11.199 acres of land more or less.

Survey

27.

COD_DS 0000010

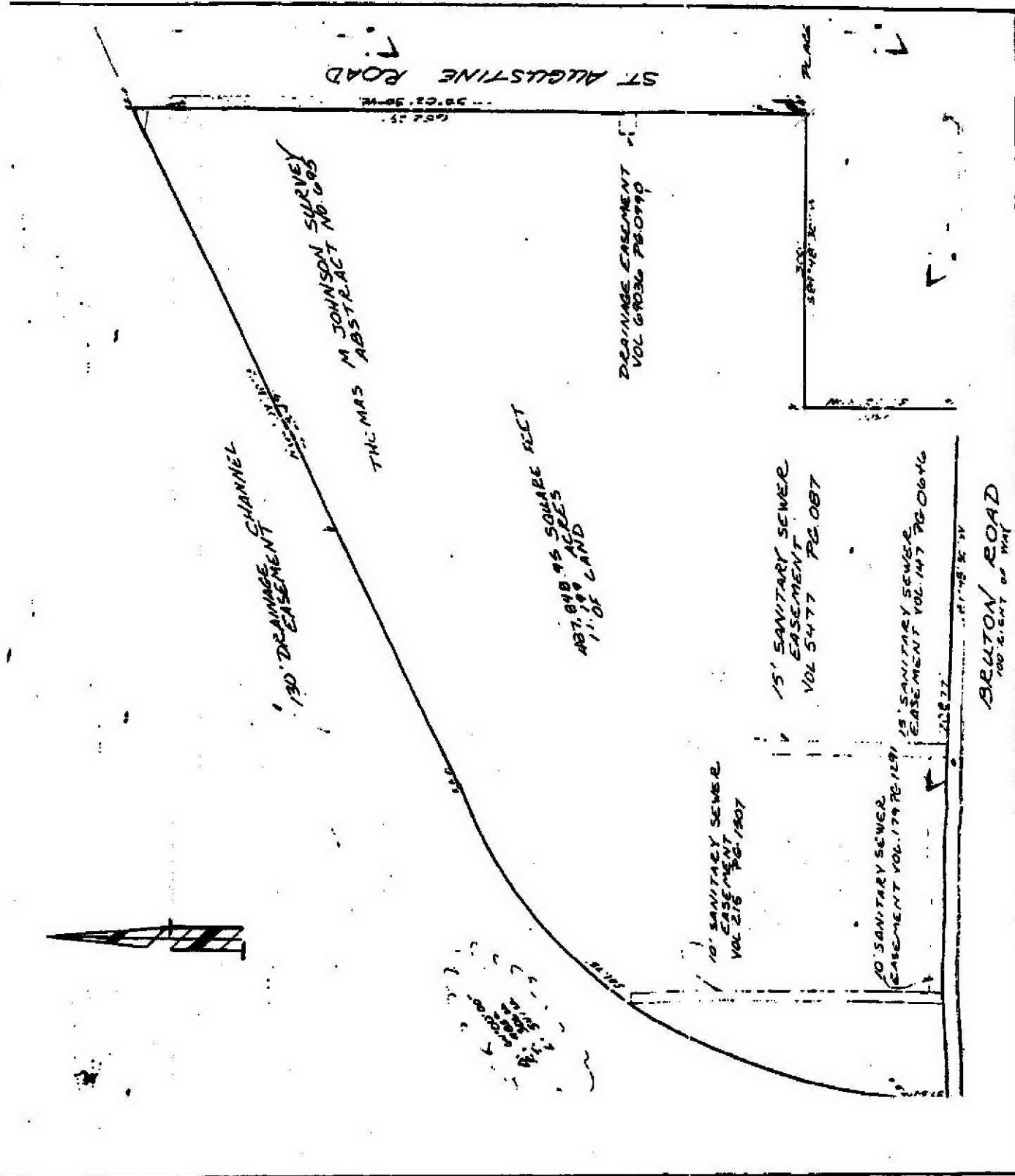
2034-327

AUG 29 03 12:27P

DUFFY'S

858-481-3386

P.2



ST AUGUSTINE ROAD

DRAINAGE EASEMENT
VOL 6036 PG 0790

130' DRAINAGE EASEMENT CHANNEL

THOMAS M JOHNSON SURVEY
ABSTRACT NO. 605

APX. 848.95 SQUARE FEET
APX. 19.9 ACRES
11.05 LAND

10' SANITARY SEWER EASEMENT
VOL 547 PG 087

10' SANITARY SEWER EASEMENT
VOL 216 PG 1507

10' SANITARY SEWER EASEMENT
VOL 179 PG 1291

10' SANITARY SEWER EASEMENT
VOL 147 PG 0646

BRUTON ROAD
100' EASEMENT OF WAY